

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re: CHAPTER 13 CASE
Bernard Flath CASE NO. 10-60050
Debtor. ORDER

This case came before the court on the motion of U.S. Bank National Association, seeking relief from the automatic stay imposed by 11 U.S.C. § 362. Based on the motion and the file,

IT IS ORDERED:

1. The movant, its assignees and successors in interest, are granted relief from the automatic stay imposed by 11 U.S.C. § 362 and § 1301 with regard to the mortgage deed dated July 29, 2008, executed by Bernard Flath and Sandra Myers, each an unmarried person, recorded on August 06, 2008, as Document No. 1043038, covering real estate located in Otter Tail County, Minnesota, legally described as:

All of the North 200.00 feet of the South 800.00 feet of the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 23, Township 136, Range 38 West of the Fifth Principal Meridian in Otter Tail County, Minnesota AND Also all that part of the North 200.00 feet of the South 800.00 feet of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 23, Township 136 North, Range 38 West of the Fifth Principal Meridian in Otter Tail County, Minnesota, lying West of County Highway as now located.

And commonly known as 43116 County Highway 137, New York Mills, Minnesota 56567-9365

and may pursue its remedies under state law in connection with the mortgage deed.

2. Notwithstanding Fed. R. Bankr. P. 4001(a)(3), this order is effective immediately.

Dated: September 28, 2010

/s/ Dennis D. O'Brien

United States Bankruptcy Judge

NOTICE OF ELECTRONIC ENTRY AND FILING ORDER OR JUDGMENT Filed and Docket Entry made on 09/28/2010 Lori Vosejpka, Clerk, By DLR, Deputy Clerk
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